S.B. Criminal Misc.II Bail Application No.3614/2006

Date : 22.08.2006.

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Umesh Shrimali for the applicants.
Mr. V.R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The submission of learned counsel for the applicants is that earlier bail application was rejected for the reason that charge-sheet in the case was not filed. He submits that there are three injuries on the person of the injured; one is on the hand and two are on ribs which are said to be grievous in nature but are not on the vital part of the body. He further submits that no investigation is to be made from the applicants and they are in Jail since long, therefore, he prays that accused applicants may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully perused the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicants on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicants (1) Anopa son of Jodha Rebari and (2) Balu son of Jodha Rebari shall be released on bail in FIR No.78/2006 P.S. Aakola, provided each of them executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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